

REMARKS

Introduction

The Examiner contends that only claims 1, 2, 15-18, 23-25, 27, 28, 31-34, 42-47, and 55-58 are pending in the application. Applicants would like to point out that claims 3-9, 11, 12, 19-22, 35-41, and 48-54 are also pending in the application. Applicants believe that the Examiner inadvertently only examined the claims that were amended in the previous Reply to Office Action dated September 12, 2002.

The Examiner rejected claims 1, 2, 15-18, 23-25, 27, 28, 31-34, 42-47, 55-58 under 35 U.S.C. § 103(a) as being unpatentable over Von Kohorn U.S. Patent No. 5,759,101 (hereinafter "Von Kohorn") in view of Wendkos U.S. Patent No. 6,278,980 (hereinafter "Wendkos"), and as discussed above did not examine claims 3-9, 11, 12, 19-22, 35-41, and 48-54. Applicants respectfully request examination of claims 3-9, 11, 12, 19-22, 35-41, and 48-54.

Applicants' Reply to the Claim Rejection

Applicants' independent claims 1, 17, 33, and 46 are directed towards a method, systems and computer-readable medium for storing data relating to a plurality of wagering accounts in a database. A plurality of types of user interface systems are capable of receiving data relating to a single wagering account stored in the database, receiving wager information from a user, and providing the data relating to a single wagering account received to the user. One type of user interface system is defined as an interactive voice response control system that provides voice prompts to an external source and receives wager information from the external through a telephone call. Another type of user interface system is defined as a computer wagering control system that provides the data relating to the single

account to an external computer and receives wager information from the external computer through the Internet.

The Examiner contends that Von Kohorn discloses all of the features of applicants' invention except for the user of the Internet. The Examiner attempts to support this contention by stating that Von Kohorn: (i) "discloses an interactive wagering system capable of allowing participants to respond to a communication, whether by manual or electronic means"; (ii) "allows for the simultaneous participation of people from across the country"; and (iii) "further provides a system wherein communication may be accomplished by dedicated communication lines, by a telephone system, via wireless or cable television or radio transmission, via satellite communication or a plurality of different forms of communication systems as may be convenient." Office Action, pages 2-3. Applicants respectfully submit that even if all of the Examiner's statements were supported by Von Kohorn, Von Kohorn does not show or suggest the features of claims 1, 17, 33, and 46 other than the use of the Internet because Von Kohorn does not show or suggest receiving data relating to a single wagering account stored in the database with an interactive voice response system and a computer wagering control system as defined by claims 1, 17, 33, and 46.

Von Kohorn describes a system for transmission of programs (such as horse races) by electronic media, to which users can respond by placing wagers, either with a telephone or a response unit. Although Von Kohorn describes the storing of "financial information regarding individuals who are subscribers to a wagering service", nowhere does Von Kohorn show or suggest receiving data relating to a single wagering account stored in the database with an interactive voice response system and a computer wagering control system as defined by claims 1, 17, 33, and 46. Von Kohorn, col. 100: 38-39. At most, Von Kohorn states that a user can access a wagering account over a telephone connection to make


a wager, where the user may use either a telephone or a keyboard and modem to enter a personal identification number (PIN) to "permit a monetary charge to be placed against his account." Von Kohorn, col. 94: 9-11. Thus, nowhere does Von Kohorn show or suggest receiving data relating to a single wagering account stored in the database with an interactive voice response system and a computer wagering control system as defined by applicants' invention specified independent claims 1, 17, 33, and 46.

Accordingly, even if it the Internet feature of Wendkos was applied to Von Korhorn, independent claims 1, 17, 33, and 46 would still be allowable. Therefore, the rejection of independent claims 1, 17, 33, and 46 and dependent claims 2, 15, 16, 18, 23-25, 27, 28, 31, 32, 34, 42-45, 47, and 55-58 should be withdrawn. In addition, dependent claims 3-9, 11, 12, 19-22, 35-41, and 48-54, which were not considered in the Office Action are allowable at least because independent claims 1, 17, 33, and 46 are allowable.

Conclusion

In view of the foregoing, claims 1-9, 11, 12, 15-25, 27, 28, 31-58 are in condition for allowance. This application is condition for allowance. Reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,


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